### PATENT COOPERATION TREATY

see form PCT/ISA/220  WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43 bis.1)  Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)  Applicants or agent's file reference see form PCT/ISA/220 (second sheet)  FOR FURTHER ACTION See paragraph 2 below international application No. International filing date (day/month/year) Priority date (day/month/year) (98.01.2004)  International Patent Classification (IPC) or both national classification and IPC 3/1187/135, G0/287/00  Applicant THOMSON LICENSING S.A.  1. This opinion contains indications relating to the following items:  Box No. II Priority Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Cartain doscore and applicability citations and explanations supporting such statement  Box No. VI Certain defects in the international application  Box No. VIII Certain defects in the international application  Box No. VIII Certain defects in the international application  Box No. VIII Certain defects in the international application  If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the international Bureau under Fluie 56: 15/i6/b) that written opinion of the IPEA has notified the international Bureau under Fluie 56: 15/i6/b) that written opinion of the IPEA has notified the international Bureau under Fluie 56: 15/i6/b) that written opinions of the IPEA has notified the international Bureau under Fluie 56: 15/i6/b) that written opinions of the IPEA has notified the international Bureau under Fluie 56: 15/i6/b) that written opinion of the IPEA has notified to submit to the IPEA a written reply together, where appropriate, with amendments, before the explication of three months from the date of maili	From the INTERNATIONAL SEARCHING AUTHORITY			_	REC'D 12 AUC 2005
see form PCT/ISA/220  WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORIT (PCT Rule 43bis.1)  Dete of mailing (daythorthylear) see form PCT/ISA/210 (second sheet)  PCT/EP2004.012593  International application No. PCT/EP2004.012593  O6.11.2004  PCT/EP2004.012593  O6.11.2004  PCT/EP2004.012593  O6.11.2004  Applicant THOMSON LICENSING S.A.  In This opinion contains indications relating to the following items:  Box No. II Basis of the opinion  Box No. II Priority  Box No. II Priority  Box No. IV Lack of unity of invention  Box No. V Lack of unity of invention  Box No. VI Cartain documents cited  Box No. VI Cartain documents cited  Box No. VII Certain defects in the international application  Box No. VII Certain defects in the international application  FURTHER ACTION  If a domand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant Bureau under Flue 56. 156. bit art witten opinion of the International Bureau under Flue 56. 156. bit art witten opinion of the International Bureau under Flue 56. 156. bit art witten opinions of the International Bureau under Flue 56. 156. bit art witten opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Flue 56. 156. bit art witten opinions of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than it is one to be the IPEA and the chosen IPEA has notified the International Bureau under Flue 56. 156. bit art witten opinions of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA, the applicant is invited to submit to the IPEA, a writ	To:			AP	
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Skaropoulos, N

Telephone No. +31 70 340-9454



International application No. PCT/EP2004/012593

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_	Bo	x No	o. I Basis of the opinion			
1.	With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.					
		lar	is opinion has been established on the basis of a translation from the original language into the following guage , which is the language of a translation furnished for the purposes of international search ader Rules 12.3 and 23.1(b)).			
2.	. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:					
	a. t	ype	of material:			
	1		a sequence listing			
	1		table(s) related to the sequence listing			
b. format of material:						
	(		in written format			
			in computer readable form			
c. time of filing/furnishing:						
	.		contained in the international application as filed.			
			filed together with the international application in computer readable form.			
			furnished subsequently to this Authority for the purposes of search.			
3.		ha co	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto is been filed or furnished, the required statements that the information in the subsequent or additional pies is identical to that in the application as filed or does not go beyond the application as filed, as propriate, were furnished.			

4. Additional comments:

International application No. PCT/EP2004/012593

Box No. V Reasoned statement under Rule 43bls.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

No: Claims

1-7

Inventive step (IS)

Yes: Claims

No: Claims

1-7

Industrial applicability (IA)

Yes: Claims

1-7

No: Claims

2. Citations and explanations

see separate sheet

#### Re Item V.

- 1 Reference is made to the following documents:
  - D1: US 2002/176332 A1 (SAIMI TETSUO ET AL) 28 November 2002 (2002-11-28)
  - D2: EP 1 209 669 A (TOKYO SHIBAURA ELECTRIC CO) 29 May 2002 (2002-05-29)
  - D3: US 2002/057359 A1 (NAKANO IKUO ET AL) 16 May 2002 (2002-05-16) cited in the application
  - D4: US 2003/053393 A1 (MAEDA TAKESHI ET AL) 20 March 2003 (2003-03-20)
  - D5: US 6 353 582 B1 (KIKUCHI IKUYA) 5 March 2002 (2002-03-05)
  - D6: US 2003/075669 A1 (TADAKI KYOKO) 24 April 2003 (2003-04-24)

#### 2 INDEPENDENT CLAIMS

- 2.1 The subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Document D1 discloses (the references in parentheses applying to this document) a method for determining spherical aberration in a light beam (abstract), including the steps of: splitting the light beam into at least two partial light beams (figures 1, 12); focusing the partial light beams onto respective detectors, whereby at least one signal generated by the detectors depends on the positions of the respective partial light beam (paragraphs 131-133, figure 12); and determining the spherical aberration using the signals generated by the detectors (paragraphs 133-138) wherein a hologram is provided for splitting the light beam into the partial light beams (paragraphs 130-139).
- 2.2 For the sake of completeness, it is pointed out that the subject matter of independent claim 1 is also disclosed in documents D2 to D6. See documents D2 to D6, in particular, passages cited in the international search report.
- 2.3 Independent claim 4 specifies a device whose features correspond to those of the method of claim 1. The objections raised with respect to the latter, therefore, also apply, mutandis mutandis, to independent claim 4, which is, thus, not allowable for lack of novelty of its subject matter (Article 33(2) PCT).

# WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/EP2004/012593

- 3 DEPENDENT CLAIMS
- 3.1 Dependent claims 2, 3, 5, 6, and 7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) PCT). See documents D1 to D6, in particular, passages cited in the international search report.

### PATENT COOPERATION TREATY

See form PCT/SA/220  See paragraph 2 below  International application No.  [International data (day/month/year)   Priority date (day/month/year)   06.11.2004  See paragraph 2 below  International paper (dassification (IPC) or both national dissification and IPC  G11B7/135, G02B7/00  Applicant  THOMSON LICENSING S.A.  1. This opinion contains indications relating to the following items:    Box No.   Basis of the opinion	From the INTERNATIONAL SEARCHING AUTHORITY					RECID 1.2 ALIC COOP
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International Searching Authority (PCT Rule 43b/s.1)   Date of mailing   (dayshronthylaar)   see form PCT/SA/210 (second sheet)					I 0 6 mm. 44	
Date of mailing   (day/month/year)   see form PCT/SA/210 (second sheet)		see form PCT	Г/ISA/220			
Applicants or agent's file reference See form PCT/ISA220  International application No. PCT/EP2004/012593  International application No. O6.11.2004  International patent Classification (IPC) or both national classification and IPC G187/135, G02B7/00  Applicant THOMSON LICENSING S.A.  1. This opinion contains indications relating to the following items:  Box No.   Basis of the opinion Box No.   Priority Box No.   Priority Box No.   IV Lack of unity of invention Box No.   Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability box of unity of invention Box No. VI Certain documents cited Box No. VI Certain defects in the international application Box No. VI Certain defects in the international application Box No. VI Certain observations on the international application For the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority of the part this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority of the IPEAn; however, this does not apply where the applicant chooses an Authority of the IPEAn; however, this does not apply where the applicant chooses an Authority of the IPEAn; the choose in EPEA and the c						(PCT Rule 43 <i>bis</i> .1)
Applicants or agent's file reference See form PCT/ISA220  International application No. PCT/EP2004/012593  International application No. O6.11.2004  International patent Classification (IPC) or both national classification and IPC G187/135, G02B7/00  Applicant THOMSON LICENSING S.A.  1. This opinion contains indications relating to the following items:  Box No.   Basis of the opinion Box No.   Priority Box No.   Priority Box No.   IV Lack of unity of invention Box No.   Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability box of unity of invention Box No. VI Certain documents cited Box No. VI Certain defects in the international application Box No. VI Certain defects in the international application Box No. VI Certain observations on the international application For the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority other than this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority of the part this one to be the IPEAn; however, this does not apply where the applicant chooses an Authority of the IPEAn; however, this does not apply where the applicant chooses an Authority of the IPEAn; however, this does not apply where the applicant chooses an Authority of the IPEAn; the choose in EPEA and the c					Date of mailing	
International application No. PCT/EP2004/012593  International application No. PCT/EP2004/012593  International application (IPC) or both national diaselfication and IPC G1187/135, G02B7/00  Applicant THOMSON LICENSING S.A.  1. This opinion contains indications relating to the following items:  Box No. I Basis of the opinion Box No. II Priority Box No. II Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Lack of unity of invention Box No. V Lack sof unity of invention Box No. V Certain detects in the International application Box No. VII Certain observations on the International application Box No. VIII Certain observations on the International application  FURTHER ACTION If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority (*IPEA**). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Burseu under Rule 66.1 bis(b) that written opinion of the IPEA has notified the International Burseu under Rule 65.1 bis(b) that written opinion of the IPEA, the applicant is invited to submit to the IPEA a site of explanation of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.  For further details, see notes to Form PCT/ISA/220.					(day/month/year)	see form PCT/ISA/210 (second sheet)
Description	4		гепсе			· · · · · · · · · · · · · · · · · · ·
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□ Box No. IV		☐ Box No. II Pri	ority	•		, ·
Box No. V Reasoned statement under Rule 43 <i>bis</i> .1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement  Box No. VI Certain defects in the International application  Box No. VIII Certain observations on the international application  FURTHER ACTION  If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the international Bureau under Rule 66.1 <i>bis</i> (b) that written opinions of this International Searching Authority will not be so considered.  If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.  For further details, see notes to Form PCT/ISA/220.		☐ Box No. III No	n-establishn	nent of opinion with rega	ard to novelty, inven	tive step and industrial applicability
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European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016

Skaropoulos, N

Telephone No. +31 70 340-9454



International application No. PCT/EP2004/012593

	Box	No	o. I Basis of the opinion
1.	With the I	re ang	gard to the language, this opinion has been established on the basis of the international application in guage in which it was filed, unless otherwise indicated under this item.
		lan	is opinion has been established on the basis of a translation from the original language into the following guage , which is the language of a translation furnished for the purposes of international search der Rules 12.3 and 23.1(b)).
2.	With nece	re	gard to any nucleotide and/or amino acid sequence disclosed in the international application and ary to the claimed invention, this opinion has been established on the basis of:
	a. ty	pe	of material:
		]	a sequence listing
		]	table(s) related to the sequence listing
	b. fo	rma	at of material:
		]	in written format
		]	in computer readable form
	c. tin	ne	of filing/furnishing:
	Е	)	contained in the international application as filed.
		]	filed together with the international application in computer readable form.
		]	furnished subsequently to this Authority for the purposes of search.
3.		has cop	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto been filed or furnished, the required statements that the information in the subsequent or additional pies is identical to that in the application as filed or does not go beyond the application as filed, as propriate, were furnished.

4. Additional comments:

International application No. PCT/EP2004/012593

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

No: Claims

1-7

Inventive step (IS)

Yes: Claims

No: Claims

1-7

Industrial applicability (IA)

Yes: Claims

1-7

No: Claims

2. Citations and explanations

see separate sheet

#### Re Item V.

1 Reference is made to the following documents:

D1: US 2002/176332 A1 (SAIMI TETSUO ET AL) 28 November 2002 (2002-11-28)

D2: EP 1 209 669 A (TOKYO SHIBAURA ELECTRIC CO) 29 May 2002 (2002-05-29)

D3: US 2002/057359 A1 (NAKANO IKUO ET AL) 16 May 2002 (2002-05-16) cited in the application

D4: US 2003/053393 A1 (MAEDA TAKESHI ET AL) 20 March 2003 (2003-03-20)

D5: US 6 353 582 B1 (KIKUCHI IKUYA) 5 March 2002 (2002-03-05) D6: US 2003/075669 A1 (TADAKI KYOKO) 24 April 2003 (2003-04-24)

#### 2 INDEPENDENT CLAIMS

- 2.1 The subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Document D1 discloses (the references in parentheses applying to this document) a method for determining spherical aberration in a light beam (abstract), including the steps of: splitting the light beam into at least two partial light beams (figures 1, 12); focusing the partial light beams onto respective detectors, whereby at least one signal generated by the detectors depends on the positions of the respective partial light beam (paragraphs 131-133, figure 12); and determining the spherical aberration using the signals generated by the detectors (paragraphs 133-138) wherein a hologram is provided for splitting the light beam into the partial light beams (paragraphs 130-139).
- 2.2 For the sake of completeness, it is pointed out that the subject matter of independent claim 1 is also disclosed in documents D2 to D6. See documents D2 to D6, in particular, passages cited in the international search report.
- 2.3 Independent claim 4 specifies a device whose features correspond to those of the method of claim 1. The objections raised with respect to the latter, therefore, also apply, mutandis mutandis, to independent claim 4, which is, thus, not allowable for lack of novelty of its subject matter (Article 33(2) PCT).

# WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/EP2004/012593

- 3 DEPENDENT CLAIMS
- 3.1 Dependent claims 2, 3, 5, 6, and 7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) PCT). See documents D1 to D6, in particular, passages cited in the international search report.

### PATENT COOPERATION TREATY

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То:			AP	PEC'D 12 AUG 2005 WIPO PCT
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				(PCT Rule 43bis.1)
			Date of mailing	
			(day/month/year)	see form PCT/ISA/210 (second sheet)
Applicant's or age			FOR FURTHER	RACTION
see form PCT/	ISA/220	•	See paragraph 2 be	elow
International appli PCT/EP2004/0		International filing date (	day/month/year)	Priority date (day/month/year) 08.01.2004
			<u> </u>	08.01.2004
G11B7/135, G	•	both national classification	and IPC	
Applicant				
• •	CENSING S.A.			
1. This opin	on contains indicati	ons relating to the foll	owing items:	
⊠ Box No	o. I Basis of the o	oinion		
☐ Box No	•			
☐ Box No	o. III Non-establish	ment of opinion with reg	ard to novelty, inver	ntive step and industrial applicability
☐ Box No	o. IV Lack of unity of	of invention		
☑ Box No		tement under Rule 43 <i>bis</i> itations and explanation		to novelty, inventive step or industrial tatement
☐ Box No	•	• •	., 5	
☐ Box No	o. VII Certain defect	s in the international app	olication	• •
☐ Box No	o. VIII Certain observ	ations on the internation	nal application	
2. <b>FURTHEF</b>	ACTION			
written opi the applica Internation	nion of the Internation ant chooses an Author	al Preliminary Examinin rity other than this one to	g Authority ("IPEA") b be the IPEA and the tile to the tile tile to the tile to the tile tile tile tile tile tile tile til	will usually be considered to be a ). However, this does not apply where he chosen IPEA has notifed the mational Searching Authority
submit to t months fro	he IPEA a written rep	ly together, where appro	priate, with amend:	ne IPEA, the applicant is invited to ments, before the expiration of three on of 22 months from the priority date,
For further	options, see Form Po	CT/ISA/220.		•
3. For further	details, see notes to	Form PCT/ISA/220.		
Name and mailing	address of the ISA:		Authorized Officer	



European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016

Skaropoulos, N

Telephone No. +31 70 340-9454



International application No. PCT/EP2004/012593

_						
_	Вох	No	o. I Basis of the opinion			
1.	With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.					
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b. format of material:						
		]	in written format			
		]	in computer readable form			
c. time of filing/furnishing:						
	. [		contained in the international application as filed.			
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International application No. PCT/EP2004/012593

Box No. V Reasoned statement under Rule 43bls.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

No: Claims

1-7

Inventive step (IS)

Yes: Claims

No: Claims

1-7

Industrial applicability (IA)

Yes: Claims

1-7

No: Claims

2. Citations and explanations

see separate sheet

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  - D2: EP 1 209 669 A (TOKYO SHIBAURA ELECTRIC CO) 29 May 2002 (2002-05-29)
  - D3: US 2002/057359 A1 (NAKANO IKUO ET AL) 16 May 2002 (2002-05-16) cited in the application
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#### 2 INDEPENDENT CLAIMS

- 2.1 The subject-matter of claim 1 is not new in the sense of Article 33(2) PCT. Document D1 discloses (the references in parentheses applying to this document) a method for determining spherical aberration in a light beam (abstract), including the steps of: splitting the light beam into at least two partial light beams (figures 1, 12); focusing the partial light beams onto respective detectors, whereby at least one signal generated by the detectors depends on the positions of the respective partial light beam (paragraphs 131-133, figure 12); and determining the spherical aberration using the signals generated by the detectors (paragraphs 133-138) wherein a hologram is provided for splitting the light beam into the partial light beams (paragraphs 130-139).
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# WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/EP2004/012593

- 3 DEPENDENT CLAIMS
- 3.1 Dependent claims 2, 3, 5, 6, and 7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty (Article 33(2) PCT). See documents D1 to D6, in particular, passages cited in the international search report.